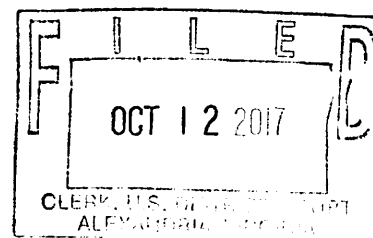


IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division



IN THE MATTER OF THE SEARCH OF )  
2122 21<sup>st</sup> Road North )  
Arlington, Virginia; and )

Case Nos. 1:17cr236  
1:17cr237

IN THE MATTER OF THE SEARCH OF )  
University of Management and )  
Technology )

**SUMMARY OF PROCEEDINGS**

Yanping Chen Frame, through her counsel John C. Kiyonaga, has appealed the court's decision denying her various motions to show cause. The undersigned is providing a summary of the proceedings under Fed. R. Civ. P. 58(g).

**Procedural History**

On December 3, 2012, two search warrants were issued based on applications and affidavits submitted by a Special Agent for the Federal Bureau of Investigations. (1:12sw1002 and 1:12sw1003). At that time, it was ordered that the application, affidavit, motion to seal, and sealing order be placed under seal until March 4, 2013.

On February 23, 2017, Frame filed a motion for an order compelling the return of seized property. On March 10, 2017, Frame filed a motion for an order to show cause why sanctions should not issue. On March 10, 2017, the government filed a motion to dismiss the motion for an order compelling the return of seized property since the property was being returned to Frame. On March 24, 2017, the government filed a response to the motion for an order to show cause. Pursuant to an order entered the court, Frame filed a reply to the government's filings on April 7, 2017. On April 25 2017, the court scheduled a hearing for May 8, 2017. On May 5, 2017,


Frame filed an “addendum” to her motion attaching various documents and making additional arguments in support of her request for an order to show cause.

On May 8, 2017, the court held a hearing and entered an order denying the motion to compel the return of documents since the documents had been returned to Frame. The court also entered an order denying the motion for an order to show cause for the reasons stated from the bench following the argument from counsel. A transcript of that hearing has been included in the record. As stated in that order, the newly presented argument in the “addendum” filed on May 5, 2017 concerning the Privacy Act was not decided since the government had not been given adequate notice and opportunity to respond to that argument.

On May 22, 2017, Frame filed a “supplemental” motion for an order to show cause. The government responded to that motion on June 5, 2017, and Frame filed a reply on June 15, 2017. Frame then filed a “supplemental memorandum” on July 5, 2017. The court heard argument on the supplemental motion on September 5, 2017, and on September 26, 2017 issued a memorandum opinion and order explaining the reasons why the supplemental motion for an order to show case was being denied.

Pursuant to Fed. R. Crim. P. 58(g)(2)(C), the record consists of the original papers and exhibits, the court’s memorandum opinion and order, the recording of the proceedings, and the docket entries. Other than a transcript of the hearing on September 5, 2017, it appears that the record attached to the notice of appeal is complete.

Entered this 12th day of October, 2017.

\_\_\_\_\_/s/   
John F. Anderson  
United States Magistrate Judge  
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John F. Anderson  
United States Magistrate Judge

Alexandria, Virginia